



## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2021-0100]

### Draft General Conformity Determination for the California High-Speed Rail System San Jose to Merced Section

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice; Request for comment.

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**SUMMARY:** FRA is issuing this notice to advise the public that a draft General Conformity Determination for the San Jose to Merced Section of the California High-Speed Rail (HSR) System is available for public and agency review and comment.

**DATES:** Comments must be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Comments related to Docket No. FRA-2021-0100 may be submitted by going to <http://www.regulations.gov> and following the online instructions for submitting comments.

**Instructions:** All submissions must include the agency name and docket number (FRA-2021-0100). All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information. Please see the *Privacy Act Statement* heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

*Docket:* For access to the docket to read the draft General Conformity Determination, background documents, or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

**FOR FURTHER INFORMATION CONTACT:** Andréa Martin, Senior Environmental Protection Specialist, Office of Railroad Policy and Development (RPD), telephone: (202) 493-6201, email: [Andrea.Martin@dot.gov](mailto:Andrea.Martin@dot.gov); or Marlys Osterhues, Chief, Environment and Project Engineering, RPD, telephone: (202) 493-0413, email: [Marlys.Osterhues@dot.gov](mailto:Marlys.Osterhues@dot.gov).

**SUPPLEMENTARY INFORMATION:**

***Privacy Act Statement:*** FRA will post comments it receives, without edit, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice, DOT/ALL-14 FDMS, accessible through [www.dot.gov/privacy](http://www.dot.gov/privacy). To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, inclusion of names is completely optional. Whether commenters identify themselves or not, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

**BACKGROUND:** The California High-Speed Rail Authority (CHSRA) is advancing the environmental review of the San Jose to Merced Section (Project) of the California HSR System pursuant to 23 U.S.C. 327, under which it has assumed FRA's environmental review responsibilities. However, under Section 327, FRA remains responsible for making General Conformity Determinations under the Clean Air Act. This draft General Conformity Determination documents FRA's evaluation of the Project, consistent with the relevant section of the Clean Air Act and its implementing regulations.

FRA conducted the analysis of the Project's potential emissions consistent with all regulatory criteria and procedures and following the Authority's coordination with the U.S. Environmental Protection Agency, Bay Area Air Quality Management District (BAAQMD), San Joaquin Valley Air Pollution Control District (SJVAPCD), Monterey Bay Air Resources District (MBARD) and the California Air Resources Board. The draft General Conformity Determination concludes that the Project, as designed, conforms to the approved SIP, based on a commitment from the CHSRA that construction-phase NOx emissions will be offset consistent with the applicable federal regulations in the SFBAAB and SJVAB.

### **Next Steps**

The draft General Conformity Determination for the Project is being issued for public review and comment for 30-days at Docket No. FRA-2021-0100. Comments related to Docket No. FRA-2021-0100 may be submitted by going to <http://www.regulations.gov> and following the online instructions for submitting comments. Although CHSRA is assisting FRA by disseminating notice of the availability of the draft General Conformity Determination through its usual outreach methods, CHSRA is not accepting comments on behalf of FRA. FRA cannot ensure consideration of any comment that is not submitted via <http://www.regulations.gov>. FRA will consider all relevant comments it receives before issuing a final General Conformity Determination.

Issued in Washington, D.C.

**Jamie P. Rennert,**

*Director, Office of Infrastructure Investment.*

